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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/649,965	08/26/2003	Junichi Murakami	1232-5119	7096
27123	7590	06/22/2004	EXAMINER	
MORGAN & FINNEGAN, L.L.P. 345 PARK AVENUE NEW YORK, NY 10154			PERKEY, WILLIAM B	
			ART UNIT	PAPER NUMBER
			2851	

DATE MAILED: 06/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/649,965

Applicant(s)

MURAKAMI, JUNICHI

Examiner

William B. Perkey

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 8, 13-15, 20, 25 and 26 is/are rejected.
- 7) ☒ Claim(s) 4-7, 9-12, 16-19 and 21-24 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 13-15 and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Onuki et al. (U.S. Patent No. 5,206,677).

Onuki et al. discloses a camera at column 6 line 41; a motor as LMTR in Fig. 5; a controller as LCNT in Fig. 5; and a state detector as ENCZ and ENCP in Fig. 5. Steps 104-106 in Fig. 1 shows that the deceleration curve is changed according to the zoom lens position (focal length) and focus lens position that are used to address a table storing a sensitivity value S which is used to determine the parameters  $\omega_s$  and FPov. At the telephoto end, the deceleration curve following the path A3, A4 and A5 is taken. At the wide-angle end (for the same lens driving amount FP1) the deceleration path A3, G4 and G5 is taken. The deceleration is faster for the telephoto end than it is for the wide angle end. Thus, claims 1-3, 13-15 and 25 are fully met by Onuki et al.

3. Claims 1, 8, 13, 20, 25 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Kawanami (U.S. Patent No. 5,933,661).

Kawanami shows a camera as element 17 in Fig. 1; an image taking optical system as element 1 in Fig. 1; a focus motor as element 4 in Fig. 1; a controller as element 14 in Fig. 1; and a state detector as the switch 13 which enables the hand vibration correction function of the

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image taking optical system. The deceleration patterns for the focus lens motor are illustrated in Fig. 4. The sloped solid line A is the preset deceleration curve for the focus lens motor which is selected when the state detector switch 13 indicates that the image taking optical system is not corrected for hand vibration; and the chained sloped line C is the preset deceleration curve which is selected when the state detector 13 indicates the image taking optical system is corrected for hand vibration. The graph of Fig. 4 shows that the deceleration pattern C starts at a different predetermined distance from the target position than the deceleration pattern A. Thus, claims 1, 8, 13, 20, 25 and 26 are fully met by Kawanami.

*Allowable Subject Matter*

4. Claims 4-7, 9-12, 16-19 and 21-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The primary reason for indication of allowability of claims 4 and 16 is the claim limitation that the deceleration control pattern is decelerated for stopping at a larger rate when the focal length of the image taking optical system is on a wide angle side closer to a wide angle end than a predetermined focal length and at a larger rate when the focal length is on a telephoto side, after a remaining driving amount becomes less than a predetermined amount. The primary reason for indication of allowability of claims 5-7 and 17-19 is the claim limitation found in claims 5 and 17 that the state of the image taking optical system is a set value of the stop, which determines the deceleration pattern for the focus motor. The primary reason for indication of allowability claims 9, 10, 21 and 22 is the limitation found in claims 9 and 21 that the state of the image taking optical system is a focal length of the image taking optical system, which determines the predetermined distance from the

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target position at which the deceleration pattern begins. The primary reason for indication of allowability of claims 11, 12, 23, and 24 is the limitation found in claims 11 and 23 that the state of the image taking optical system is a set value of the stop, which determines the predetermined distance from the target position at which the deceleration pattern begins.

### **Telephone Numbers**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William B. Perkey whose telephone number is (571) 272-2126. The examiner can normally be reached on Monday-Thursday 7:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz can be reached on (571) 272-2180. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



William B. Perkey  
Primary Examiner  
Art Unit 2851

WBP:wbp